

EXHIBIT A

09/17/2004 12:56 8583502399

WSGR

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WSGR Wilson Sonsini Goodrich & Rosati
PROFESSIONAL CORPORATION

3611 Valley Centre Drive, Suite 525
San Diego, CA 92130

PHONE 858.350.2300
FAX 858.350.2399

www.wsgri.com

VICKI G. NORTON
Internet: vnorton@wsgri.com
Direct Dial: (858) 350-2305

September 17, 2004

Wayne Barsky, Esq.
Gibson, Dunn & Crutcher LLP
2029 Century Park East
Los Angeles, California 90067-3026

Re: Immunex Corp. and Amgen Inc. v. Columbia University

Dear Wayne:

We previously discussed today Amgen's request for Columbia's agreement to the deposition of an additional elderly witness, Dr. Sol Goodgal. You asked for evidence of Dr. Goodgal's grant publication. Accordingly, we enclose a copy of the Notice of Grant Award to Dr. Goodgal for the project "Genetic Transfer in Mammalian Somatic Cells." We previously provided you with the abstract for this grant.

We would consider delaying Dr. Goodgal's deposition beyond the next few weeks so long as you agree that his deposition can proceed well prior to the end of October. Further, we will only consider delaying his deposition if you agree that it will go forward regardless of the outcome of Columbia's motion to dismiss.

Sincerely,

WILSON SONSINI GOODRICH & ROSATI
Professional Corporation



Vicki G. Norton

VGN/aeb

AMGEN - Ltr 2 to Barsky re goodgal.doc

PALO ALTO AUSTIN KIRKLAND NEW YORK RESTON SALT LAKE CITY SAN DIEGO SAN FRANCISCO

09/17/2004 12:56 8583502399 WSGR
DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

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PUBLIC HEALTH SERVICE RESEARCH AWARD 21280
NOTICE OF GRANT AWARD
DEC 1 4 1

DATE ISSUED: December 6, 1979

GRANT NUMBER:

5 R01 GM24263-03 GEN

TOTAL PROJECT PERIOD:

From 01/01/78 Through 12/31/80

TYPE OF AWARD:

RESEARCH

AUTHORIZED BY:

42 USC 241 42 CFR 52

AWARDED BY:

NATIONAL INSTITUTE OF GENERAL MEDICAL SCIENCES

Title of Project or Area of Training

GENETIC TRANSFER IN MAMMALIAN SOMATIC CELLS

Grantee Institution

UNIVERSITY OF PENNSYLVANIA
3451 WALNUT STREET
FRANKLIN BUILDING/16
PHILADELPHIA, PA 19104

Principal Investigator/Program Director/Awardee

GOODGAL, SOL H PHD
UNIVERSITY OF PENNSYLVANIA
DEPARTMENT OF MICROBIOLOGY
PHILADELPHIA, PA 19104

APPROVED BUDGET

FOR BUDGET PERIOD 01/01/80 Through 12/31/80

Salaries and Wages \$ 20,334

Fringe Benefits 5,715

Total Personnel Costs \$ 26,049

Consultant Costs 1,000

Equipment 9,000

Supplies 400

Travel - Domestic 400

- Foreign

Patient Care - Inpatient

- Outpatient

Alterations and Renovations

Contractual or Third Party Costs 6,367

Other

Trainee Stipends

Trainee Tuition and Fees

Trainee Travel

TOTAL DIRECT COSTS → \$ 42,816

When PHS Prior Approval is required for rebudgeting, submit request to Grants Management Official below.

REMARKS:

APPLICABLE INDIRECT COSTS WILL BE PROVIDED ON A SUMMARY NOTICE.

AWARD COMPUTATION

1. DIRECT COSTS \$ 42,816

2. INDIRECT COSTS \$ 0

(Calculated at _____ rate)

3. TOTAL \$ 42,816

4. Less Unobligated Balance From Prior Budget Period(s) \$

5. AMOUNT OF THIS AWARD → \$ 42,816

COST SHARING (1) Per Inst. agreement dated 07/01/73

CONTRIBUTION (2) Per Indiv. agreement, minimum

SUPPORT RECOMMENDED FOR REMAINDER OF PROJECT PERIOD*

Budget Period Total Direct Costs (Includes Stipends)

04 NONE

*Subject to availability of funds and satisfactory progress.

THE PROGRAM ADMINISTRATOR FOR THIS GRANT IS DR. DAVID BECK - 301/496-7175.

GRANTS MANAGEMENT SPECIALIST(S) FOR THIS GRANT: D. McNISH/B. SPINKS - 301/496-7166.

TERMS OF ACCEPTANCE: By acceptance of funds awarded under this grant, the grantee acknowledges that it will comply with terms and conditions the following: (1) Legislation cited above; (2) Regulations cited above; (3) Provisions on or attached to this award notice and signed by the official(s) named below; (4) PHS Grants Administration Manual Chapters in effect on the beginning date of the grant Budget Period; (5) PHS Grants Policy Statement in effect on the beginning date of the grant Budget Period; (6) 45 CFR Part 74. The above order of precedence shall prevail.

Y Common Account Number
3-8423527CRS/Entity Identification No.
1231352685A1PHS List Number
80-GM-0149Document Number
(08) R1GM24263A

PROGRAM OFFICIAL

Arthur P. Heming

DR E. HEMING, PH.D.
ASSOCIATE DIRECTOR FOR
PROGRAM ACTIVITIES
NAT. INST. OF GEN. MED. SCIENCES

PHS Grants Management Official

Evelyn W. Carlin

EVELYN W. CARLIN
GRANTS MANAGEMENT OFFICER
OFFICE ASSOC. DIRECTOR PROGRAM
ACTIVITIES, NIGMS

45-1523 (Formerly NIM-2007)

Rev. 9-76) Copies distributed to Principal Investigator, Program Director or Awardee, and Business Office.